

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
v.                             )                                    No.: 3:19-CR-94-TAV-DCP-1  
                                  )  
                                  )  
GARY WAYNE SUMNER,        )  
                                  )  
Defendant.                    )

**ORDER**

This criminal case is before the Court on the Report and Recommendation (“R&R”) [Doc. 17] entered by United States Magistrate Judge C. Clifford Shirley, Jr. recommending that the Court: (1) accept defendant’s guilty plea to Count One of the indictment; (2) adjudicate defendant guilty of possession of a firearm having previously been convicted of a felony in violation of 18 U.S.C. § 922(g)(1); and (3) order that defendant remain in custody pending sentencing. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 51.

After reviewing the record, the Court agrees with Judge Shirley’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the R&R [Doc. 17] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1.     Defendant’s plea of guilty to Count One of the indictment is **ACCEPTED**;
2.     Defendant is hereby **ADJUDGED** guilty of possession of a firearm having previously been convicted of a felony in violation of 18 U.S.C. § 922(g)(1);

3. Defendant **SHALL REMAIN** in custody pending sentencing.

ENTER:

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE